

REMARKS

The following remarks are responsive to the non-final Office Action of May 20, 2003. Reconsideration of this application is requested.

Claims 1-13 are pending in the application.

In the outstanding Office Action, the Examiner objected to the disclosure because of several informalities. The informalities have been obviated by the attached amendments.

Further, the Examiner rejected the claims under the judicially created doctrine of obviousness-type double patenting. Specifically, Claim 1 is provisionally rejected as being unpatentable over Claim 1 of copending application no. 09/652,820 Aguiar, et al. (hereinafter "Aguiar"). The Examiner asserts that Claim 1 of Aguiar only differs from the instant claims by using rank-1 factorization instead of rank-1 factorization. The Examiner contends that using rank-3 factorization rather than rank-1 factor matrices is known in the art and therefore it would be obvious to one of ordinary skill in the art to use either one of the types of factorization.

The independent claims of the instant application have been amended to clarify the difference between the copending applications. Specifically, claim 1 has been amended to recite what the image data is, i.e., being one or more characteristic selected from a group consisting of points, lines and intensities.

The Examiner also objected to Claims 1 and 4 because of several informalities. The Examiner's objection has been obviated by the above noted claim amendments.

In the most recent Office Action, the Examiner rejected Claims 1-13 under 35 U.S.C. §102(a) as being anticipated by Oliensis, et al. (hereinafter "Oliensis").

Oliensis is not prior art. Applicants respectfully notes that the instant application relates to a provisional application filed on June 7, 2000 and accordingly claims the benefits of the priority date. Oliensis Factorization as a Rank-1 problem is an article that was presented at a conference June 13-15, 2003 therefore the priority date of the instant application is prior to the article's publication date.

Lastly, the applicant submits new Claims 14-16 for Examination. These new claims cover a computer system and software for implementing the claimed method. No new matter has been added.

Accordingly, in light of the foregoing amendments and arguments, applicant respectfully submits that all of the claims in the instant application are in patentable form and define patentable subject matter and accordingly applicant requests notice of allowance in this matter.

Respectfully submitted,



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